

1 KEKER & VAN NEST LLP
JEFFREY R. CHANIN - # 103649
2 jchanin@kvn.com
DAVID W. RIZK - # 284376
3 drizk@kvn.com
633 Battery Street
4 San Francisco, CA 94111-1809
Telephone: 415 391 5400
5 Facsimile: 415 397 7188

6 ADVOCATES FOR THE WEST
LAURENCE ("LAIRD") J. LUCAS - # 124854
7 llucas@advocateswest.org
ELIZABETH H. ZULTOSKI – (*pro hac vice*)
8 ezultoski@advocateswest.org
P.O. Box 1612
9 Boise, ID 83701
Telephone: 208 342 7024
10 Facsimile: 208 342 8286

11 Attorneys for Plaintiffs
RESOURCE RENEWAL INSTITUTE,
12 CENTER FOR BIOLOGICAL DIVERSITY,
and WESTERN WATERSHEDS PROJECT
13

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 OAKLAND DIVISION

17 RESOURCE RENEWAL INSTITUTE,
CENTER FOR BIOLOGICAL
18 DIVERSITY, and WESTERN
WATERSHEDS PROJECT,

19 Plaintiffs,

20 v.

21 NATIONAL PARK SERVICE, a federal
22 agency, and CICELY MULDOON, in her
official capacity as Superintendent of Point
23 Reyes National Seashore,

24 Defendants.
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Case No. 4:16-cv-00688-SBA (KAW)

**STIPULATION AND ~~PROPOSED~~ ORDER
TO TEMPORARILY STAY LITIGATION
AND EXTEND PENDING DEADLINES**

Judge: Hon. Sandra Brown Armstrong

Date Filed: February 10, 2016

Trial Date: None set

Pursuant to N.D. Cal. Local Civil Rules 6-1, 6-2, 7-2, 7-3, and 7-4, Plaintiffs RESOURCE RENEWAL INSTITUTE, CENTER FOR BIOLOGICAL DIVERSITY, and WESTERN WATERSHEDS PROJECT, and Defendants NATIONAL PARK SERVICE, and CICELY MULDOON IN HER OFFICIAL CAPACITY AS SUPERINTENDENT OF POINT REYES NATIONAL SEASHORE (collectively, the “Parties”), through undersigned counsel hereby jointly stipulate and respectfully request that the Court: (1) stay the case until October 17, 2016; and (2) extend by three weeks the pending deadlines for the Case Management Conference and statement, and Plaintiffs’ Reply in Support of Their Motion for Preliminary Injunctive Relief. The Parties jointly declare in support of these stipulated requests:

A. WHEREAS, the Court entered an Order on July 22, 2016, referring the above-captioned action for a mandatory settlement conference (the “Settlement Conference”) (ECF No. 55) with Hon. Judge Donna M. Ryu (ECF No. 67) on September 20, 2016 (ECF No. 72);

B. WHEREAS, the Parties and representatives for the Intervenor KEVIN and NANCY LUNNY, RICHARD and JACKIE GROSSI, TED and RHEA MCISSAC, GINO LUCCHESI JR and CLATON LUCCHESI, MIKE and MORGAN GIAMONN, RICHARD GALLAGHER, RALPH and LUKE GIACOMINI, FRED and GINNY ROGERS, LOUIS and WYATT ZANARDI, and PAULETTE PERCY (“the Lunny Ranchers”) and JULIE EVANS ROSSOTTI, DAVID and DOLORES EVANS, ROBERT McCLURE, TIM, TOM, and MIKE KEHOE, NICHOLA, ERNIE, and ERNEST SPALETTA, BETTY NUNES, and WILLIAM and NICOLETTE NIMAN (the “Rossotti Ranchers”) and the COUNTY OF MARIN (collectively, “the Intervenor”) participated in the Settlement Conference on September 20, 2016, and agreed to deadlines regarding next steps (ECF No. 112);

C. WHEREAS, the Court entered an Order on August 11, 2016, directing the parties to file a joint status report informing the Court as to the outcome of the mandatory settlement conference (ECF No. 80);

D. WHEREAS, the Court entered an Order on September 2, 2016, setting an October 12, 2016, due date for Plaintiffs’ Reply in Support of their Motion for Preliminary Injunctive Relief (ECF No. 96) and continuing the hearing on Plaintiffs’ Motion for Preliminary Injunctive Relief to

November 9, 2016;

E. WHEREAS, the Court re-set the due dates for the Case Management Statement to October 12, 2016, and for the Case Management Conference to October 19, 2016 (ECF No. 80);

F. WHEREAS, the Parties believe that a three-week stay of the litigation and an extension of these pending deadlines will conserve judicial resources, save the Parties' time and expenses, and allow the Parties to focus on the deadlines set during the Settlement Conference;

G. WHEREAS, Plaintiffs may seek to further extend the due date for their Reply in order to obtain further production of information from the Defendants, and the Parties agree that Plaintiffs are not waiving their right to seek such an extension by entering into this stipulation, and that they shall not be prejudiced by entering into this stipulation;

H. WHEREAS, the Parties agree that by entering into this stipulation Defendants shall not be prejudiced and are not waiving their right to object to any motion by Plaintiffs to supplement the Administrative Record, to seek any form of discovery, or to extend the due date for their reply brief in order to obtain further production of information from Defendants;

I. WHEREAS, Counsel for Intervenors Rosetti Ranchers, Lunny Ranchers, and Marin County have each stated they do not oppose the Parties' request to stay the litigation as described herein;

NOW THEREFORE, pursuant to N.D. Cal. Local Civil Rules 6-1, 6-2, 7-2, 7-3, and 7-4, the Parties through their respective attorneys stipulate and jointly request that the Court:

1. Stay the case until October 17, 2016;

2. Extend the pending due date for Plaintiffs' Reply in Support of Their Motion for Preliminary Injunctive Relief by three weeks from its current date to November 2, 2016, extend the Case Management Conference and statement, by at least three weeks from their current due dates or as appropriate based on the Court's calendar, and continue the hearing date for Plaintiffs' Motion for Preliminary Injunctive Relief to December 14, 2016; and

3. Order the Parties to file a joint status report on October 17, 2016, informing the Court whether they believe a further stay would be appropriate at that time.

SO STIPULATED AND AGREED.

1 Dated: September 26, 2016

KEKER & VAN NEST LLP

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3 By: /s/ Jeffrey R. Chanin
JEFFREY R. CHANIN
DAVID W. RIZK

4
5 /s/ Elizabeth H. Zultoski
LAURENCE ("LAIRD") J. LUCAS
6 ELIZABETH H. ZULTOSKI (*pro hac vice*)
ADVOCATES FOR THE WEST
7 P.O. Box 1612
Boise, ID 83701
8 Telephone: 208 342 7024
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1 Dated: September 26, 2016

UNITED STATES ATTORNEY'S OFFICE

2 By: /s/ Caitlin B. Imaki

3 CAITLIN B. IMAKI(Wash. Bar No. 44679)
4 Trial Attorney
5 JOSEPH T. MATHEWS (Colo. Bar No. 42865)
6 Trial Attorney
7 Environment & Natural Resources Division
8 United States Department of Justice
9 P.O. Box 7611
Ben Franklin Station
Washington, DC 20044-7611
Telephone: (202) 305-0432
Facsimile: (202) 305-0506
Email: caitlin.imaki@usdoj.gov
joseph.mathews@usdoj.gov

10 BRIAN J. STRETCH
11 United States Attorney

12 /s/ Michael T. Pyle

13 MICHAEL T. PYLE (Cal. Bar No. 172954)
14 Assistant United States Attorney
15 150 Almaden Boulevard, Suite 900
San Jose, California 95113
Telephone: (408) 535-5087
Facsimile: (408) 535-5081
Email: michael.t.pyle@usdoj.gov

16 Attorneys for Defendants
17 NATIONAL PARK SERVICE, and
18 CICELY MULDOON IN HER OFFICIAL
CAPACITY AS SUPERINTENDENT OF
POINT REYES NATIONAL SEASHORE

19 **CERTIFICATION OF CONCURRENCE FROM OTHER PARTIES**

20 I, Elizabeth H. Zultoski, am the ECF user whose ID and password are being used to file this
21 Stipulation. In compliance with N.D. Cal. Civ. L.R. 5-1(i)(3), I hereby attest that each of the
22 signatories has concurred in the filing of this document and has authorized the use of his or her
23 electronic signature.

24 Dated: September 26, 2016

/s/ Elizabeth H. Zultoski
Elizabeth H. Zultoski

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: September 27, 2016


SAUNDRA BROWN ARMSTRONG
Senior United States District Judge